



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2304576
Applicant Name: Brittani Ard for Dolphin Custom Homes
Address of Proposal: 6121 37th Av NW

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one (1) parcel into two (2) unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. Construction of a two (2) unit townhouse has been issued under building permit #736475 (MUP Project #2301505).

The following approval is required:

Short Subdivision - To subdivide one existing parcel into two unit lots pursuant to Seattle Municipal Code (SMC) 23.24.

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

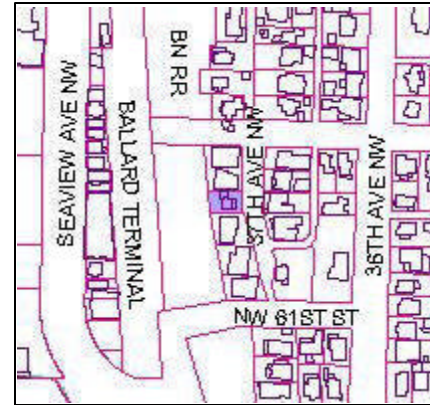
☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction

BACKGROUND DATA

Site Description and Area Development

The subject property is approximately 4,039.6 square feet and is zoned Multi-family Residential Lowrise 1 (L1). The lot has approximately 52 feet of street frontage along 37th Ave NW and an average depth of approximately 78 feet. Thirty-seventh (37th) Ave NW at this location is designated as a street without curbs, gutters, or sidewalks on either sides of the street pavement. There is no mapped or observed City of Seattle designated Environmentally Critical Area (ECA) on the site.



Zoning and development in the vicinity is mixed between multi-family and single family uses. The west block front is characterized by 2 and 3 unit structures in the Multi-Family Residential Lowrise (L-1) zone north and south of the property. The east block front is characterized by single family structures zoned Single-Family 5000 (SF 5000). In combination, the area is developed with single family and multi-family structures.

Proposal Description

The applicant proposes to short subdivide one parcel into two unit lots. Proposed unit lot parcel sizes are: A) 1,987.4 square feet and B) 2,052.2 square feet. DPD Project Number 2301505, to demolish the existing single-family dwelling, establish use and construct one 2-unit townhouse with attached garage has been approved at the time of this decision. Vehicle access for the units is from 37th Av NW.

Public Comment

During the comment period, which ended on August 27, 2003, no written comment letters were received.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings, which follow, are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light, and review by the Land Use Planner.

1. Conformance to the applicable Land Use Code provisions;

The existing parent lot subject to this subdivision conforms to all development standards of the L-1 zone. The parent lot configuration provides adequate buildable area to meet applicable density, setbacks, lot coverage requirements and other land use code development standards. The unit lots proposed by this subdivision conform to the

standards for unit lot subdivisions (SMC 23.24.045) and other code provisions applicable to unit lot subdivisions.

2. *Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;*

Each of the proposed unit lots will have adequate access for vehicles, utilities and fire protection via a proposed ingress, egress, and utilities easement that provides frontage along 37th Ave NW. The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

Seattle City Light provides electrical service to the subject property and has indicated an easement is required. The easement identified in the Seattle City Light memorandum, dated August 18, 2003, and "Easement P.M. #250310-1-004B of Short Subdivision Number 2304576" shall be included on the final plat prior to recording.

3. *Adequacy of water supply, sanitary sewage disposal, and drainage;*

Sanitary Sewer: The nearest accessible public sewer (PS) is 172 feet south of the site. The existing house addressed 6121 connects to the PS by way of as sidesewer shared with two other parcels. This shared sidesewer runs in the BNSF railroad right-of-way to the west of this site.

The two proposed townhouse noted on the short plat may use the existing sidesewer if all existing users of the sidesewer agree to the added connection.

Drainage: The nearest discharge point for stormwater runoff from new construction on this short plat is the PS. The two proposed townhouses may discharge stormwater runoff to the existing sidesewer if the existing users agree to the additional connection. Detention with controlled release will be required.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, No. 2003-0839 on August 1, 2003. All conditions on the certificate must be met prior to receiving water service.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

There is no mapped or observed City of Seattle Environmentally Critical Area on the proposal site.

6. *Is designed to maximize the retention of existing trees;*

Not applicable, as the development of the subject site is permitted by approval of the associated building permit.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density, and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meets development standards. However, as a result of this subdivision, development on the individual lots may be non-conforming. To assure that future owners have constructive notice that additional development may be limited due to non-conformities; the following statement shall be required to be included as a note on the final short subdivision:

“The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.”

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED.**

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate State statute. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.

2. The Seattle City Light easement described in the Seattle City Light memorandum dated August 18, 2003, and "Easement P.M. #250310-1-004B of Short Subdivision Number 2304576" shall be included on the final plat prior to recording.
3. Insert the following on the face of the plat: *"The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."*
4. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress, utility, and pedestrian easements.

Signature: _____ (signature on file) Date: April 22, 2004
Colin R. Vasquez, Land Use Planner
Department of Planning and Development

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